

COTTONWOOD HEIGHTS

RESOLUTION NO. 2011-28

A RESOLUTION APPROVING ENTRY INTO AN AMENDMENT TO AN INTERLOCAL AGREEMENT WITH SALT LAKE COUNTY FOR PUBLIC WORKS SERVICES

WHEREAS, the Interlocal Cooperation Act, *Utah Code Ann.* §11-13-101 *et seq.*, provides that any two or more public agencies may enter into agreements with one another for joint or cooperative action following the adoption of an appropriate resolution by the governing body of each participating public agency; and

WHEREAS, effective 15 January 2005, the city of Cottonwood Heights (the “*City*”) and Salt Lake County (the “*County*”) entered into an interlocal agreement (the “*Agreement*”) whereunder the County agreed to provide public works services to the City through 30 June 2005 on the terms and conditions specified in the Agreement; and

WHEREAS, the Agreement provides, *inter alia*, that the Agreement may be renewed for succeeding one-year periods upon mutual approval of a revised “Exhibit A” to the Agreement; and

WHEREAS, the City and the County heretofore have amended and/or renewed the Agreement for the cumulative period of 1 July 2005 through 30 June 2011 pursuant to seven successive amendments to and renewals of the Agreement; and

WHEREAS, the County has proposed to continue to provide public works services within the City for the period of 1 July 2011 through 30 June 2012 as provided in the proposed “Amendment and Renewal No. 8 to Agreement for Public Works Services Between Salt Lake County and Cottonwood Heights” (the “*Eighth Amendment*”); and

WHEREAS, the city council (the “*Council*”) of the City met in regular session on 26 July 2011 to consider, among other things, approving the City’s entry into the Eighth Amendment; and

WHEREAS, the Council has reviewed the form of the Eighth Amendment, a photocopy of which is annexed hereto; and

WHEREAS, the city attorney of the City has approved the form of the Eighth Amendment as required by *Utah Code Ann.* §11-13-202.5(3); and

WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the City’s residents to approve the City’s entry into the Eighth Amendment as proposed in order to make efficient use of the City’s resources;


NOW, THEREFORE, BE IT RESOLVED by the city council of Cottonwood Heights that the attached Eighth Amendment with the County is hereby approved, and that the City’s mayor and

recorder are authorized and directed to execute and deliver the Eighth Amendment on behalf of the City.


This Resolution, assigned no. 2011-28, shall take effect immediately upon passage.

PASSED AND APPROVED this 26th day of July 2011.

COTTONWOOD HEIGHTS CITY COUNCIL

By 
Gordon M. Thomas, Mayor Pro Tempore




Linda W. Dunlavy, Recorder

VOTING:

Kelvyn H. Cullimore, Jr.	<i>Absent</i>	
Gordon M. Thomas	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
J. Scott Bracken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
E. Nicole Omer	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Tee W. Tyler	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

DEPOSITED in the office of the City Recorder this 26th day of July 2011.

RECORDED this 27 day of July 2011.

563645.1

**AMENDMENT AND RENEWAL NO. 8
AGREEMENT FOR PUBLIC WORKS SERVICES
SALT LAKE COUNTY
AND
CITY OF COTTONWOOD HEIGHTS**

THIS AGREEMENT, amends a prior interlocal agreement between SALT LAKE COUNTY ("the COUNTY"), a body corporate and politic of the State of Utah, CITY OF COTTONWOOD HEIGHTS ("the CITY"), a municipal corporation of the State of Utah, and is made and entered into this _____ day of June, 2011.

RECITALS

1. The parties have previously recently entered into an agreement, pursuant to the Utah Interlocal Cooperation Act, to provide public works services ("the SERVICES") beginning July 1, 2002, under which the COUNTY would provide SERVICES to the CITY.
2. Pursuant to the terms of the original agreement, the parties hereby agree to amend and extend that agreement for the period set out herein and based on the rates and services set out in a revised "Exhibit A," attached hereto.

AGREEMENT

1. The parties hereby agree to amend and revise "Exhibit A," setting out the nature of the SERVICES provided under this agreement and the charges for those services, and is made a part of and incorporated into this agreement by reference, replacing the original Exhibit A in the initial contract.
2. The original agreement of the parties is amended to extend the term of SERVICES under this agreement from July 1, 2011, through June 30, 2012.

4. The parties acknowledge that this agreement is subject to the provisions and procedures contained in the Interlocal Cooperation Act and they agree to process, approve, manage, and archive this agreement in accordance with the provisions with that Act.

SALT LAKE COUNTY

STATE OF UTAH)
 : ss.
County of Salt Lake)

APPROVED AS TO FORM
Salt Lake County District Attorney's Office
By Gavin J. Anderson
Deputy District Attorney
Date 16 June 2011

CITY OF COTTONWOOD HEIGHTS

Attest:

Approved AS ID FORM:
BY: W.S. [Signature]
Cottonwood Heights City Army.
7/9/11

Exhibit A
Cottonwood Heights
Public Works Services Contract
July 1, 2011 - June 30, 2012

Contract item	Amount
General Road Maintenance	150,000
Snow Removal	400,000
Traffic Analysis	1,000
Sign Maintenance	20,000
Road Striping	36,000
School Flashers	2,000
Street Light Maintenance	20,000
Traffic Signal Maintenance	60,000
Storm Drain Maintenance	63,000
Weed Control	3,000
Small projects (curb and gutter, storm drain, etc.)	25,000
Total General Services	780,000

Total PW Services Contract Amount	\$ 780,000
Total Pavement Maintenance Contract Amount	\$ 860,000
Grand Total	\$ 1,640,000

Charges from Rocky Mountain Power for electricity on signals, school flashers, street lights is not included and is billed separately.

The CITY shall reimburse the County for the total actual cost of the work performed, including labor, equipment, materials, and indirect costs, if any, as outlined in the contract.